

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PIERRE WATSON,

Plaintiff,

ZACHARY DRISKILL, et al.,

Defendants,

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4:18-cv-764-NAB

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Pierre Watson's motion for extension of time in which to pay the initial partial filing fee and file his amended complaint. (Docket No. 12). On August 27, 2018, the Court ordered plaintiff to pay an initial partial filing fee of \$37.92 within thirty days. (Docket No. 11). The Court also ordered plaintiff to file an amended complaint on the Court-provided form within thirty days, in accordance with the instructions set forth in the order.

Plaintiff states that he does not currently have the funds to pay the initial partial filing fee. In support, he has attached an updated account statement showing a balance of \$1.50. Further, he states that due to mail issues in the prison, he did not receive the Court's order until on or about September 17, 2018. He also notes that he is currently in the Special Housing Unit awaiting transfer to another facility. Due to these factors, plaintiff requests an extension of ninety days in which to pay the initial partial filing fee and submit his amended complaint. Good cause being shown, the Court will grant plaintiff's motion and order him to pay the initial partial filing fee of \$37.92 within ninety (90) days of the date of this order. The Court will further order plaintiff to

file his amended complaint on the Court-provided form within ninety (90) days of the date of this order.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for extension of time in which to pay the initial partial filing fee and file his amended complaint (Docket No. 12) is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff must pay an initial partial filing fee of \$37.92 within ninety (90) days of the date of this order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) this case number; and (4) the statement that the remittance is for an original proceeding.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint **on the Court-provided form**, in accordance with the instructions set forth in the Court's previous order, **within ninety (90) days from the date of this order**.

IT IS FURTHER ORDERED that upon the filing of the amended complaint, the Court will review the amended complaint pursuant to 28 U.S.C. § 1915.

Plaintiff's failure to timely comply with this order will result in the dismissal of this case without prejudice and without further notice.

Dated this 20th day of September, 2018.

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE